

May 15, 2008

S 1632. 2008 TECHNICAL CORRECTIONS ACT (=H 2177). Filed 5/15/08. *TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.*

Identical to H 2177, filed 5/15/08.

Intro. by Hartsell.

GS 19A

July 15, 2008

S 1632. 2008 TECHNICAL CORRECTIONS ACT. Filed 5/15/08. Senate committee substitute makes the following changes to 1st edition. Makes technical corrections to GS 1-75.4(6), GS 7A-177(b), GS 7A-498.8(b), GS 20-19(e), (e1), (e2), and (e3), GS 20-38.7(d), GS 20-171.21, GS 58-24-185(a), GS 58-84-35(6), GS 90-18.5(b), GS 105-163.9, GS 105-249.2(b), GS 108A-25.2, GS 108-53(a), GS 115C-366(a3)(1), GS 120-103.1(i)(3)b., GS 138A-12(f), GS 143-652.2(g), GS 143-722(b), GS 143A-44.1, GS 143B-139.5B, GS 147-86.30(c), GS 163-278.27(a1), GS 14-72.11(1), GS 90-21.13(c), GS 90-285.1(2), GS 105-164.4B(d)(2), GS 138A-3(24), Section 3 of SL 2007-177, Section 2 of SL 2007-318, Section 44 of SL 2007-348, and Section 1.(c) and Section 6.(f) of SL 2007-391. Makes formatting changes by creating subsection captions for GS 18B-902(h) and GS 18B-903(b2). Makes a technical correction to the caption of GS 143D-8. Makes a technical correction to GS 15A-1344(f)(2) in H 1003, if it becomes law. Makes a conforming change to S 2015 by repealing Section 11, if both S 2015 and H 2436 become law. Makes a technical correction to Section 2.1 of H 2443, if it becomes law. Makes technical corrections to proposed revised GS 20-305(5)a. in S 1800, if it becomes law.

Recodifies GS 143B-437.11 as GS 143B-437.012. Makes conforming change to GS 150B-1(d).

Amends GS 7A-796(19) by allowing any local drug treatment coordinator (was, the local program director provided for in GS 7A-798) to be chosen as a representative for a local drug treatment court management committee.

Amends GS 14-208.41(b) to delete that the Department of Corrections may order a person to enroll in a satellite-based monitoring program or order the period of time of enrollment.

Amends GS 14-71(b) to add that a person *authorized to act on behalf of a law enforcement agency* may explicitly represent property as stolen to satisfy the representation element of the offense of receiving or possessing goods represented as stolen.

Amends GS 14-86.6(a)(1) by including theft from multiple retail *establishments* (was, a retail establishment) in the first element of organized retail theft.

Amends GS 15A-145(a) to clarify that a petition cannot be filed under this section earlier than (1) two years after the date of the conviction or (2) the *completion* of any period of probation, whichever occurs later.

Amends GS 20-183.2A(b2), GS 20-138.2B(b2), and GS 20-179.3(j) by substituting that alcohol screening devices are approved by the Department of Health and Human Services rather than the Commission for Public Health.

Makes technical corrections to the Health Care Power of Attorney form set forth in GS 32A-25.1.

Specifies that reference to intermediate care facilities is to intermediate care facilities *for the mentally retarded* in GS 58-3-169(d), GS 58-50-30(d), GS 58-55-35(a)(11), GS 108A-62, GS 131A-3(4), and GS 143B-181.16(1). Amends cross references in the definition sections of GS 58-55-35 and GS 131E-231.

Amends GS 83A-6(a) to give the NC Board of Architecture the power to acquire, hold, rent, encumber, alienate, and otherwise deal with real property in the same manner as a private person or corporation, subject to approval of the Governor and Council of State for certain activities. Limits pledged collateral to assets, income, and revenues of the Board.

Eliminates references to occupational therapy limited permits in GS 90-270.69(8) and GS 90-270.78(a). Repeals GS 90-270.73(d).

Amends GS 115C-284 by listing the requirements for certification as a school administrator.

Amends Section 2 of SL 2007-169 by extending the date for members of the Advisory Budget Commission to remain eligible for appointment to the Board of Awards from December 31, 2008, to June 30, 2009.

Clarifies that proposed GS 143-299.1A(c) (limits the use of the public duty doctrine as an affirmative defense) does not apply to a unit of local government or its officers, employees, or agents (was, stating that nothing in the section limited the use of the public duty doctrine by local government) if H 1113 becomes law.

Changes the title to *AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS*.

July 16, 2008

S 1632. 2008 TECHNICAL CORRECTIONS ACT. Filed 5/15/08. Senate amendments make the following changes to 2nd edition.

Amendment #1 deletes proposed amendments to the following statutes: (1) GS 58-3-169(d) (regarding post-delivery follow-up care), (2) GS 58-50-30(d) (regarding services performed by an advanced practice registered nurse), (3) GS 108A-62 (regarding therapeutic leave for medical assistance patients), (4) GS 131A-3(4) (regarding defining *health care facilities*), and (5) GS 143B-181.16 (regarding long-term care ombudsman program). Makes technical corrections and organizational changes.

Amendment #2 makes a technical change.

Amendment #3 amends GS 18B-1006.1 by clarifying that a conviction for a violation of the requirement that certain permittees recycle beverage containers under this section does not constitute an alcoholic beverage offense within the meaning of GS 18B-900(a)(4).

Clarifies that the revisions to GS 32A-25.1 and GS 90-21.13(c) are effective when it becomes law and do not affect the validity of a health care power attorney executed before, on, or after that date.

Repeals Section 4 of SL 2008-56, which revised GS 143B-557 to add that the State Council must review the level of gang activity throughout the state. Amends Section 7 of SL 2008-56, which directs the Governor's Crime Commission (Commission) to develop criteria for eligibility for funds appropriated for gang prevention and intervention, to require the Commission to also review the level of gang activity throughout the state and assess the progress in preventing the proliferation of gangs and addressing the needs of juveniles identified as associated with gang activity. Directs the Commission to develop recommendations regarding gang prevention to the General Assembly by March 1 of each year.

Makes a technical correction to Section 2 of H 15, if it becomes law.

Amends proposed GS 153A-210.2(b) (related to special assessments for critical infrastructure needs) to provide that a preliminary assessment roll may be prepared before the costs are incurred based on the estimated cost of the project (was, that an assessment may also be imposed based on the estimated cost of the project) and amends GS 160A-239.2 to make technical and conforming changes, if H 1770 becomes law.

Makes a technical correction to proposed revised GS 136-44.53(d), if H 2314 becomes law.

Makes a technical correction to proposed revised GS 135-39.24, if H 2443 becomes law.

July 17, 2008

S 1632. 2008 TECHNICAL CORRECTIONS ACT. Filed 5/15/08. House committee substitute makes the following changes to 3rd edition. Deletes proposed amendment to GS 83A-6(a), which gave the NC Board of Architecture the power to acquire, hold, rent, encumber, alienate, and otherwise deal with real property in the same manner as a private person or corporation, subject to approval of the Governor and Council of State for certain activities.

If H 359 becomes law, makes a technical change to proposed GS 115C-47(51).

If H 1366 and S 1541 both become law, then GS Chapter 115C, Article 29B, as enacted by H 1366, is recodified as GS Chapter 115C, Article 29C, and GS 115C-407.5 through GS 115C-

407.8, are recodified as GS 115C-407.15 through GS 115C-407.18, with any cross reference to those sections in H 1366 construed accordingly.

If H 1889 and S 1878 both become law, then GS 105-277.15, as enacted by S 1878, is recodified as GS 105-277.16.

If H 2463 and H 2188 both become law, then GS 53-243.11(16), as enacted by H 2188, is recodified as GS 53-243.11(16A).

If H 2623 becomes law, then any mention in that law to the "2008 Regular Session" is construed as a mention to the 2007 Regular Session.

August 8, 2008

SL 2008-187 (S 1632). 2008 TECHNICAL CORRECTIONS ACT. *AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.*

Summarized in *Daily Bulletin* 5/15/08, 7/15/08, 7/16/08, and 7/17/08. Enacted August 7, 2008. Effective August 7, 2008.